

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH, GA.

2006 DEC 11 AM 10:29

CLERK

MITCHELL MURRAY,

Plaintiff,

v.

SPENCER LAWTON, et al.,

Defendants.

Case No. CV406-135

REPORT AND RECOMMENDATION

Defendants have each filed motions to dismiss the instant civil rights complaint for failure to perfect service. Docs. 9, 10, 12. The Court is in receipt of a letter from plaintiff dated December 3, 2006, which states that plaintiff has been forced to "drop" his complaint due to health reasons. The Court construes this letter as a motion to voluntarily dismiss the case. Pursuant to Federal Rule of Civil Procedure 41(a)(2), plaintiff's motion should be GRANTED and his complaint should be DISMISSED.

**SO REPORTED AND RECOMMENDED this 11th day of
December, 2006.**


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA